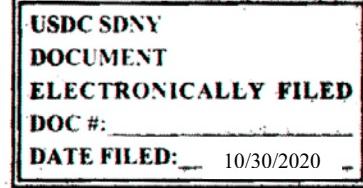


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LILIAN BAEZ,

Plaintiff,

20-CV-00764 (LTS) (SN)

-against-

ORDER

AHERN RENTALS, INC., et al.,

Defendants.

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SARAH NETBURN, United States Magistrate Judge:

The Court has recently been asked by Defendants' law firm to judicially authorize Rule 45 subpoenas issued upon non-parties, some of which include the New York Police Department, which were signed by Defendants' counsel. According to an employee of the firm, these non-parties have refused to comply with validly issued subpoenas unless they are also signed by a judge. The Court expresses no view on whether, in fact, the N.Y.P.D. or other non-party witnesses adopt this practice. Rule 45 expressly authorizes issuance of a subpoena signed by an attorney admitted to this Court. See Fed. R. Civ. P. 45(a)(3) (" . . . An attorney also may issue and sign a subpoena if the attorney is authorized to practice in the issuing court."). To the extent any non-party fails to comply with validly issued subpoenas, Defendants' counsel may move to compel compliance and seek any attorney's fees and costs associated with such motion. Defendants may include this Order in any subpoena they serve.

**SO ORDERED.**

DATED: New York, New York  
October 30, 2020

  
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SARAH NETBURN  
United States Magistrate Judge